

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EU098489912US, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: February 15, 2002

Signature: Staci V. Harris

(Staci V. Harris)

Docket No.: HO-P01938US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Application of:  
Morten Soegaard, et al.

Application No.: 09/463,470

Group Art Unit: 1644

Filed: January 21, 2000

Examiner: Ewoldt, Gerald R.

For: CYTOLYSIS OF TARGET CELLS BY  
SUPERANTIGEN CONJUGATES INDUCING  
T-CELL ACTIVATION

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
Washington, DC 20231

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Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed December 4, 2001 (Paper No. 12), Applicants hereby provisionally elect claims Group 1, 35-50 for continued examination. Claims 35-50 are drawn to a method for inactivating a target cell comprising bringing in contact a superantigen conjugated to a targeting moiety, a T cell, and an immune modulator.

The Examiner has also required a species election. In response to the species election, Applicants hereby elect the following species: an antigen-binding fragment of an antibody as the targeting moiety species, a modified SEA as the superantigen species, IL-2 as the immune modulator species, and Gly-Gly-Pro as the B-linker. The Examiner did not specifically request election of a Q-linker species. If, however, a species election is required for the Q-linker, applicants elect without prejudice or acquiescence Gly-Pro-Arg-Gln-Ala-Asn-Glu-Leu-Pro-Gly-Ala-Pro-Ser-Gln-Glu-Glu-Arg (SEQ.ID.NO:23) as the Q-linker species. Applicants assert that the elected species read on claims 35-50, which have been provisionally elected for continued examination.

Applicants do not believe that any fees are due with this filing. If however, fees are due, please charge them to Deposit Account No. 06-2375, under order no. 10001907, from which the undersigned is authorized to draw.

Dated: February 15, 2002

Respectfully submitted,

By 

Melissa W. Acosta

Registration No.: 45,872  
FULBRIGHT & JAWORSKI L.L.P.  
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Houston, Texas 77010-3095  
(713) 651-5407  
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02-19-02

GP-1644\$

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In re Patent Application of:  
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Examiner: G. R. Ewoldt

For: CYTOLYSIS OF TARGET CELLS BY  
SUPERANTIGEN CONJUGATES INDUCING  
T-CELL ACTIVATION

Commissioner for Patents  
Washington, DC 20231

TRANSMITTAL LETTER

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Response to Restriction Requirement (2 pages)
2. Petition for 2-month Extension of Time
3. Fee Transmittal
4. Return Post Card

The Commissioner is authorized to charge the amount of \$400.00 to Deposit Account No. 06-2375, under order no. 10001907 for required fees. If however, additional fees are due, please charge them to Deposit Account No. 06-2375, from which the undersigned is authorized to draw.

Dated: February 15, 2002

Respectfully submitted,

By

*Melissa W. Acosta*  
Melissa W. Acosta

Registration No.: 45,872

FULBRIGHT & JAWORSKI L.L.P.

1301 McKinney, Suite 5100

Houston, Texas 77010-3095

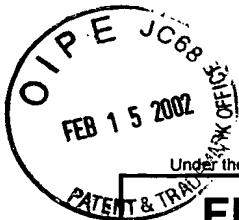
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PTO/SB/17 (11-01)  
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 400.00

## Complete if Known

Application Number 09/463,470  
Filing Date January 21, 2000  
First Named Inventor Morten Soegaard  
Examiner Name Not Yet Assigned  
Group Art Unit N/A  
Attorney Docket No. HO-P01938US0

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number

06-2375

Deposit Account Name

Fulbright & Jaworski L.L.P.

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	*** =	x	=
Multiple Dependent			

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	400.00
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 400.00

## SUBMITTED BY

Name (Print/Type) Melissa W. Acosta

Registration No. (Attorney/Agent)

45,872

## Complete (if applicable)

Telephone (713) 651-5407

Signature

Date

February 15, 2002

## Fee Transmittal

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